

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

PRINCE F. BLIGE,)
)
Plaintiff,)
)
v.)
) Case No. CV 411-267
)
STATE OF GEORGIA,)
)
Defendant.)

REPORT AND RECOMMENDATION

Convicted and serving a life sentence for a 1990 rape and felony burglary, *see Blige v. State*, 211 Ga. App. 771 (1994), Prince Blige (a/k/a Bernard Blidge and various other aliases) has filed a form 42 U.S.C. § 1983 complaint.¹ Docs. 1; attached Georgia Department of Corrections print-out; *see also* doc. 1 at 13. He titled it "Super Court of Chatham

¹ He also moved for leave to proceed *in forma pauperis* (IFP), which the Court granted but required additional IFP paperwork. Doc. 4. Blige complied. Docs 5 & 6. The Court thus will now screen his case under 28 U.S.C. § 1915(e)(2)(B)(ii) (allows a district court to *sua sponte* dismiss the complaint of a plaintiff proceeding in forma pauperis for failure to state a claim before service of process). It also proceeds under 28 U.S.C. § 1915A (courts must identify "cognizable claims" filed by prisoners or other detainees and dismiss claims which are frivolous, malicious, fail to state a claim for relief, or seek monetary relief from a defendant immune from such relief), and 42 U.S.C. § 1997e(c)(2) (allowing dismissal on the same four standards provided by § 1915A as to any prisoner suit brought "with respect to prison conditions").

County v. Prince f. Blige" (sic), doc. 1 at 1, listed *himself* as the "Name of defendant," *id.* at 4 ¶ IV(B), and left blank the section on the complaint form that asks him to supply a "State of Claim" and requested "Relief." *Id.* at 5-6 ¶¶ V-VI.

The Clerk captioned him as the plaintiff and inserted "State of Georgia" as the defendant. That was reasonable, since *possibly* Blige is seeking to overturn or otherwise challenge his conviction, in which case the state would be the proper defendant. *See* doc. 1 at 7-14 (attached, state-court filings from *State of Georgia v. Prince F. Blige* criminal case no. 264751, including a "Motion for Trial Transcripts" and "Demand for Statutory Discovery" aimed at capturing "a complete list of witnesses,"etc.).

But the Court cannot even discern that much because Blige left blank the "Statement of Claim" and "Relief" sections of the complaint. In the face of an essentially blank form complaint, Blige has simply failed to present a non-frivolous claim that would survive review under 28 U.S.C. § 1915(e)(2)(B). Nor can the Court conceive of any valid claim here. Any effort by Blige to have this Court "appellate-review" his state conviction would fail, since the *Rooker-Feldman* doctrine bars review of

“cases brought by state-court losers complaining of injuries caused by state-court judgments . . . and inviting district court review and rejection of those judgments.” *Exxon Mobile Corp. v. Saudi Basic Indus. Corp.*, 544 U.S. 280, 284 (2005). And, if it is federal habeas relief Blige seeks, see *Castro v. United States*, 540 U.S. 375, 381 (2003) (substance must govern over nomenclature, so a proceeding’s label that a litigant chooses is irrelevant), then “his sole federal remedy is a writ of habeas corpus,” *Preiser v. Rodriguez*, 411 U.S. 475, 499 n. 14 (1973); *Wilkinson v. Dotson*, 544 U.S. 74, 78 (2005); *Hutcherson v. Riley*, 468 F.3d 750, 754 (11th Cir. 2006), which means Blige must first exhaust his state remedies. *Williams v. Chisholm*, 2009 WL 3483585 at * 1 n. 1 (S.D. Ga. Oct. 28, 2009).

In that no apparent way exists for Blige to navigate his case around these roadblocks, it should be **DISMISSED WITHOUT PREJUDICE**. Meanwhile, it is time for Blige to pay the piper.² Based on his furnished information, doc. 5 (\$0.00 average monthly balance for the last six months), the Court has determined that he has no funds in his prison

² This case also qualifies as a “strike” within the meaning of 28 U.S.C. § 1915(g), which, after three strikes, bars the filing of further § 1983 actions in forma pauperis absent allegations of imminent physical harm.

account during the past six months and therefore owes no initial partial filing fee. *See* 28 U.S.C. § 1915(b)(1) (requiring an initial fee assessment “when funds exist,” under a specific 20 percent formula) (emphasis added). But his custodian (or designee) shall set aside 20 percent of all future deposits to the account, then forward those funds to the Clerk each time the set aside amount reaches \$10.00, until the balance of the Court's \$350.00 filing fee has been paid in full.

A copy of this Order and a copy of the Consent to Collection of Fees from Trust Account shall be served upon plaintiff and his current custodian. The payment portion of this Order is to be implemented immediately, as it is not subject to the adoption provision of Fed. R. Civ. P. 72(b).

SO REPORTED AND RECOMMENDED this 6th day of December, 2011.



UNITED STATES DISTRICT JUDGE
SOUTHERN DISTRICT OF GEORGIA

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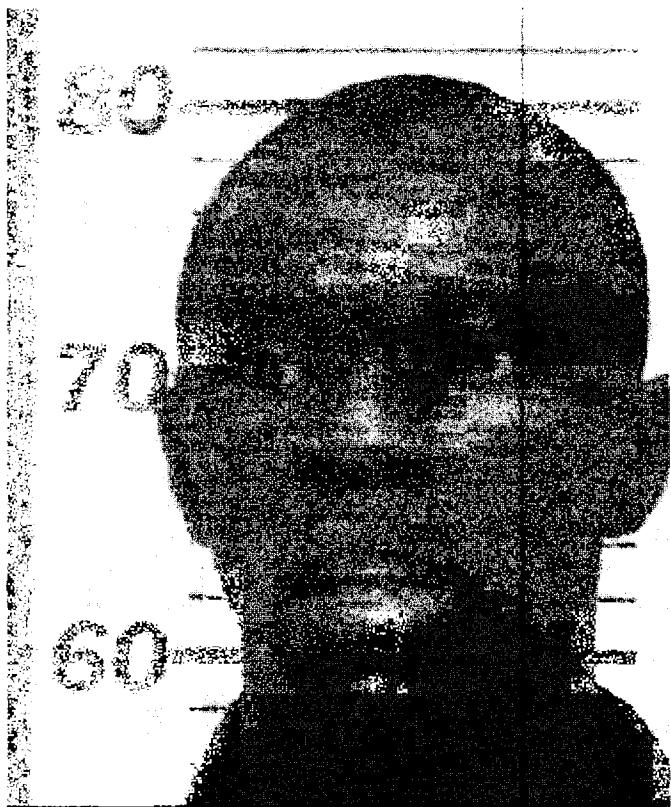
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BLIDGE, PRINCE

GDC ID: 0000583771

**PHYSICAL DESCRIPTION**

YOB: 1965
RACE: BLACK
GENDER: MALE
HEIGHT: 5'10"
WEIGHT: 145
EYE COLOR: BROWN
HAIR COLOR: BLACK

SCARS, MARKS, TATTOOS

INCARCERATION DETAILS

MAJOR OFFENSE: RAPE
MOST RECENT INSTITUTION: HAYS STATE PRISON
MAX POSSIBLE RELEASE DATE: LIFE Important Release Information
TENTATIVE PAROLE MONTH: NOT ALLOWED IN THIS CASE Important Parole Information

ACTUAL RELEASE DATE: CURRENTLY SERVING
CURRENT STATUS: ACTIVE

KNOWN ALIASES

A.K.A. BLIDGE, BERNARD
A.K.A. BLIDGE, PRINCE
A.K.A. BLIDGE, PRINCE LEONARD
A.K.A. BLIGE, BERNARD
A.K.A. BLIGE, LEONARD
A.K.A. BLIGE, PRINCE
A.K.A. BLIGE, PRINCE LEON
A.K.A. BLIGE, PRINCE LEONARD
A.K.A. LEONARD, BERNARD
A.K.A. WOODS, TIM

CASE NO: 264751**OFFENSE:** RAPE**CONVICTION COUNTY:** CHATHAM COUNTY**CRIME COMMIT DATE:** 11/14/1990**SENTENCE LENGTH:** NOT AVAILABLE**CASE NO: 264751****OFFENSE:** BURGLARY**CONVICTION COUNTY:** CHATHAM COUNTY**CRIME COMMIT DATE:** 11/14/1990**SENTENCE LENGTH:** 20 YEARS, 0 MONTHS, 0 DAYS**CASE NO: 264751****OFFENSE:** THEFT BY SHOPLIFTING**CONVICTION COUNTY:** CHATHAM COUNTY**CRIME COMMIT DATE:** 07/17/1990**SENTENCE LENGTH:** 2 YEARS, 0 MONTHS, 0 DAYS**CASE NO: 264751****OFFENSE:** obstr of law enf officer**CONVICTION COUNTY:** CHATHAM COUNTY**CRIME COMMIT DATE:** 07/17/1990**SENTENCE LENGTH:** 0 YEARS, 12 MONTHS, 0 DAYS**STATE OF GEORGIA - PRIOR SENTENCES****STATE OF GEORGIA - INCARCERATION HISTORY****INCARCERATION BEGIN INCARCERATION END**

06/19/1992 ACTIVE

09/05/1990 11/06/1990

10/04/1985 05/17/1990

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